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Letter dated 9 February 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1565 (2004) of 1 October 2004, regarding the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). In operative paragraph 25, the Council expressed grave concern at the allegations of sexual exploitation and misconduct by civilian and military personnel and requested that it be kept informed of developments. I note that Council members join me in recognizing the tremendous contributions and sacrifices of United Nations peacekeepers, who, for decades, have brought relief to millions of people emerging from the scourge of war. It is important for these men and women to know that we stand together in honour of their heroic efforts under arduous and often dangerous circumstances.

As members of the Security Council and troop-contributing countries are aware, however, the unconscionable conduct of a small number of peacekeepers now clouds this distinguished record of collective achievement and individual sacrifice. I have stated publicly my personal outrage at the revelations of sexual exploitation and abuse of Congolese children and women by some United Nations personnel assigned to MONUC. I reiterate my stance — one which I know the members of the Council share — that we cannot tolerate even one instance of a United Nations peacekeeper victimizing the most vulnerable among us. Such behaviour does great harm to the distinguished tradition of United Nations peacekeeping, to the Member States that contribute troops to peacekeeping missions and to the reputation and honour of fellow peacekeepers who have served selflessly and to high purpose for decades. Most important, however, such behaviour violates the fundamental "duty of care" that United Nations peacekeepers owe to the very peoples they are sent to protect and serve.

Sexual exploitation and abuse are prohibited by the United Nations Staff Rules and Regulations. These rules are reinforced by administrative instructions, including my bulletin (ST/SGB/2003/13) entitled "Special measures for protection from sexual exploitation and sexual abuse", released on 9 October 2003. In addition, each military peacekeeper receives a copy of Ten Rules — Code of Conduct for Blue Helmets, a card promulgated by the Department of Peacekeeping Operations that presents in plain language the standards of behaviour expected of every military person assigned to a peacekeeping mission. The basic policy is clear: zero tolerance of sexual exploitation and abuse of any kind.

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As Council members and troop-contributing countries will know, the Organization has pursued an active dialogue with the Member States on this issue. Through the efforts of Prince Zeid Ra'ad Zeid Al-Hussein, my Adviser on addressing sexual exploitation and abuse committed by all categories of personnel in peacekeeping contexts, we are working to prioritize concrete ways by which troop-contributing countries can assist in the elimination of sexual exploitation and abuse.

As the Council is also aware, the Department of Peacekeeping Operations had undertaken to reinforce disciplinary procedures in 2002 when it issued the Compilation of Guidance and Directives on Disciplinary Issues of Personnel Serving in United Nations Peacekeeping and Other Field Missions as a comprehensive reference for field use. A 2003 training programme by the Department revealed weaknesses in discipline in several missions, including MONUC, and in response, the Department intensified training in this area. In April 2004 a full-time Personnel Conduct Officer was assigned to MONUC to provide the Mission with the capacity to strengthen its practice.

Despite these efforts, in early 2004 media reports began to circulate alleging widespread sexual exploitation and abuse by MONUC personnel in Bunia. At the request of the Department of Peacekeeping Operations, the Office of Internal Oversight Services launched an investigation into these allegations, and a number of the allegations were substantiated. Council members will recall that the Office of Internal Oversight Services report on the investigation, released on 7 January 2005, identified 72 allegations, of which 20 warranted follow-up action. Of these 20, seven individual cases (all military personnel) were fully substantiated. While most of the individuals concerned have since rotated out of the Mission or been repatriated, their cases were forwarded to relevant Member States for action with a request that they advise the Organization of follow-up measures taken. Six additional investigations into allegations against other military personnel carried out by MONUC have been completed, and of these, four individuals were repatriated, one was exonerated, and one rotated home before the investigation was concluded.

In addition, a joint team from the Office of Human Resources Management and the Department of Peacekeeping Operations undertook to investigate another five cases (all civilians) that had come to light. Of these, one individual is in custody and awaiting trial in his home country, one has resigned, one has been cleared, disciplinary action has been initiated against another, and a fifth investigation remains ongoing.

As the Council is aware, some contingent members have been credibly identified as committing sexual exploitation and abuse over extended periods and others as condoning a permissive environment for such abuses. The behaviour of a few undermines the contributions of many, and I know troop-contributing countries are committed to working with me to eradicate such misconduct. We will not refrain from holding accountable those in the entire chain of command who fail to act decisively to enforce the zero-tolerance standard, and stern measures are under way to deal with those who violate the trust they have been given as United Nations peacekeepers.

To follow up on this work and to lay the groundwork for sustained efforts by the Mission, the Department of Peacekeeping Operations has dispatched to MONUC a multidisciplinary team led by Assistant Secretary-General Angela Kane to conduct

further investigations and support MONUC in developing an effective and sustainable response to the sexual exploitation and abuse issue. This team has focused to date on actively collecting information, conducting investigations where credible allegations exist of wrongdoing and building capacity in the Mission for effective, long-term prevention and enforcement. Ms. Kane's team has, to date, completed nine investigations, has ten ongoing and has closed several files.

The Mission has itself taken a number of firm measures to eliminate this unacceptable behaviour. These measures include the establishment of a strict non-fraternization policy, the installation of a curfew for military contingents, comprehensive training and awareness-raising for all mission personnel and proposals for improving contingent welfare facilities. Additional measures are under consideration in coordination with appropriate offices of the Organization.

Further, the Department of Peacekeeping Operations has organized a multidisciplinary Task Force at Headquarters to undertake a series of initiatives in the areas of conduct and discipline, policy guidance, management responsibility and accountability, training, investigation and enforcement, organizational culture and communication. Such initiatives include:

- Forceful promulgation of the standards of conduct expected of all civilian and uniformed peacekeepers, combined with vigorous exercise of the rules for enforcing these standards. Special emphasis is placed on the personal responsibilities of leaders and managers both in the field and at Headquarters
- Renewed emphasis on training at all levels — with a dual focus on predeployment awareness training and in-mission induction training — to impress upon all new staff their moral, ethical and professional responsibilities within the context of each mission's particular cultural and political setting
- The activation of a network of mission focal points to develop and implement reliable complaint and follow-up mechanisms
- The timely development of recreation and welfare opportunities to provide appropriate outlets to alleviate the concentrated stress present in field missions
- The creation of an effective communication strategy tied to the overarching goals and objectives of peacekeeping to remind us all of why we serve

The Department of Peacekeeping Operations Task Force is supporting and actively promoting these and other initiatives, recommending additional concrete reforms and helping change the perception that perpetrators of sexual exploitation and abuse act with impunity. In addition, the Department's efforts are reinforced by a broader initiative under the auspices of the Joint Executive Committee (Peace and Security-Humanitarian Affairs) to stamp out sexual exploitation and abuse. This joint effort will generate policy recommendations that seek, first, to establish a common level of understanding among members of senior management regarding their individual responsibilities in this area; and, second, to create a stronger support environment for dealing with sexual exploitation and abuse, both at Headquarters and in the field.

I should like to alert Council members to our expectation that the success of these efforts in the short term will be measured not by a decrease in allegations, but to the contrary, by a likely increase. As the Organization actively works to root out

this problem, we must leave no stone unturned. Reform in this area will not be without pain, but we are presented with an opportunity we cannot afford to miss.

To assist these and other efforts under way, I strongly appeal to members of the Council to assist in strengthening the capacity of MONUC to conduct self-monitoring and enforcement programmes. Specifically, the Mission still requires at least 100 military police under the ceiling established by Security Council resolution 1565 (2004). In addition, the Mission has an urgent need for French-speaking qualified investigators with special skills in sexual exploitation and abuse cases. I underscore the importance we attach to the Council's role in helping to fill these gaps.

In outlining the measures that have already been taken and in making the above recommendations, I appeal strongly to the members of the Council not to lose sight of the contributions made by MONUC since its establishment to assist the people of the Democratic Republic of the Congo in recovering from years of devastating conflict. The Mission has a central role to play in supporting the transitional process during this critical period leading up to the elections. Numerous tasks lie ahead that require the concerted and sustained assistance of the international community.

I wish to take this opportunity to reaffirm my personal commitment to the members of the Council to remain vigilant and firm on this matter. I can also assure the members of the Council, the troop-contributing countries, Member States and, perhaps most important, the peoples of the countries that host United Nations peacekeeping missions that we will work tirelessly to rejustify their faith and to restore United Nations peacekeeping to its rightful place among the world's most noble callings.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**